



Rep. Lou Lang

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1 AMENDMENT TO SENATE BILL 1350

2 AMENDMENT NO. _____. Amend Senate Bill 1350 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Unemployment Insurance Trust Fund
5 Financing Act is amended by changing Section 4 as follows:

6 (30 ILCS 440/4)

7 Sec. 4. Authority to Issue Revenue Bonds.

8 A. The Department shall have the continuing power to borrow
9 money for the purpose of carrying out the following:

10 1. To reduce or avoid the need to borrow or obtain a
11 federal advance under Section 1201, et seq., of the Social
12 Security Act (42 U.S.C. Section 1321), as amended, or any
13 similar federal law; or

14 2. To refinance a previous advance received by the
15 Department with respect to the payment of Benefits; or

16 3. To refinance, purchase, redeem, refund, advance

1 refund or defease (including, any combination of the
2 foregoing) any outstanding Bonds issued pursuant to this
3 Act; or

4 4. To fund a surplus in Illinois' account in the
5 Unemployment Trust Fund of the United States Treasury.

6 Paragraphs 1, 2 and 4 are inoperative on and after January
7 1, 2013 ~~2010~~.

8 B. As evidence of the obligation of the Department to repay
9 money borrowed for the purposes set forth in Section 4A above,
10 the Department may issue and dispose of its interest bearing
11 revenue Bonds and may also, from time-to-time, issue and
12 dispose of its interest bearing revenue Bonds to purchase,
13 redeem, refund, advance refund or defease (including, any
14 combination of the foregoing) any Bonds at maturity or pursuant
15 to redemption provisions or at any time before maturity. The
16 Director, in consultation with the Department's Employment
17 Security Advisory Board, shall have the power to direct that
18 the Bonds be issued. Bonds may be issued in one or more series
19 and under terms and conditions as needed in furtherance of the
20 purposes of this Act. The Illinois Finance Authority shall
21 provide any technical, legal, or administrative services if and
22 when requested by the Director and the Employment Security
23 Advisory Board with regard to the issuance of Bonds. Such Bonds
24 shall be issued in the name of the State of Illinois for the
25 benefit of the Department and shall be executed by the
26 Director. In case any Director whose signature appears on any

1 Bond ceases (after attaching his or her signature) to hold that
2 office, her or his signature shall nevertheless be valid and
3 effective for all purposes.

4 C. No Bonds shall be issued without the Director's written
5 certification that, based upon a reasonable financial
6 analysis, the issuance of Bonds is reasonably expected to:

7 (i) Result in a savings to the State as compared to
8 the cost of borrowing or obtaining an advance under
9 Section 1201, et seq., Social Security Act (42 U.S.C.
10 Section 1321), as amended, or any similar federal law;

11 (ii) Result in terms which are advantageous to the
12 State through refunding, advance refunding or other
13 similar restructuring of outstanding Bonds; or

14 (iii) Allow the State to avoid an anticipated
15 deficiency in the State's account in the Unemployment
16 Trust Fund of the United States Treasury by funding a
17 surplus in the State's account in the Unemployment
18 Trust Fund of the United States Treasury.

19 D. All such Bonds shall be payable from Fund Building
20 Receipts. Bonds may also be paid from (i) to the extent
21 allowable by law, from monies in the State's account in the
22 Unemployment Trust Fund of the United States Treasury; and (ii)
23 to the extent allowable by law, a federal advance under Section
24 1201, et seq., of the Social Security Act (42 U.S.C. Section
25 1321); and (iii) proceeds of Bonds and receipts from related
26 credit and exchange agreements to the extent allowed by this

1 Act and applicable legal requirements.

2 E. The maximum principal amount of the Bonds, when combined
3 with the outstanding principal of all other Bonds issued
4 pursuant to this Act, shall not at any time exceed
5 \$1,400,000,000, excluding all of the outstanding principal of
6 any other Bonds issued pursuant to this Act for which payment
7 has been irrevocably provided by refunding or other manner of
8 defeasance. It is the intent of this Act that the outstanding
9 Bond authorization limits provided for in this Section 4E shall
10 be revolving in nature, such that the amount of Bonds
11 outstanding that are not refunded or otherwise defeased shall
12 be included in determining the maximum amount of Bonds
13 authorized to be issued pursuant to the Act.

14 F. Such Bonds and refunding Bonds issued pursuant to this
15 Act may bear such date or dates, may mature at such time or
16 times not exceeding 10 years from their respective dates of
17 issuance, and may bear interest at such rate or rates not
18 exceeding the maximum rate authorized by the Bond Authorization
19 Act, as amended and in effect at the time of the issuance of
20 the Bonds.

21 G. The Department may enter into a Credit Agreement
22 pertaining to the issuance of the Bonds, upon terms which are
23 not inconsistent with this Act and any other laws, provided
24 that the term of such Credit Agreement shall not exceed the
25 term of the Bonds, plus any time period necessary to cure any
26 defaults under such Credit Agreement.

1 H. Interest earnings paid to holders of the Bonds shall not
2 be exempt from income taxes imposed by the State.

3 I. While any Bond Obligations are outstanding or
4 anticipated to come due as a result of Bonds expected to be
5 issued in either or both of the 2 immediately succeeding
6 calendar quarters, the Department shall collect and deposit
7 Fund Building Receipts into the Master Bond Fund in an amount
8 necessary to satisfy the Required Fund Building Receipts Amount
9 prior to expending Fund Building Receipts for any other
10 purpose. The Required Fund Building Receipts Amount shall be
11 that amount necessary to ensure the marketability of the Bonds,
12 which shall be specified in the Bond Sale Order executed by the
13 Director in connection with the issuance of the Bonds.

14 J. Holders of the Bonds shall have a first and priority
15 claim on all Fund Building Receipts in the Master Bond Fund in
16 parity with all other holders of the Bonds, provided that such
17 claim may be subordinated to the provider of any Credit
18 Agreement for any of the Bonds.

19 K. To the extent that Fund Building Receipts in the Master
20 Bond Fund are not otherwise needed to satisfy the requirements
21 of this Act and the instruments authorizing the issuance of the
22 Bonds, such monies shall be used by the Department, in such
23 amounts as determined by the Director to do any one or a
24 combination of the following:

- 25 1. To purchase, refinance, redeem, refund, advance
26 refund or defease (or any combination of the foregoing)

1 outstanding Bonds, to the extent such action is legally
2 available and does not impair the tax exempt status of any
3 of the Bonds which are, in fact, exempt from Federal income
4 taxation; or

5 2. As a deposit in the State's account in the
6 Unemployment Trust Fund of the United States Treasury; or

7 3. As a deposit into the Special Programs Fund provided
8 for under Section 2107 of the Unemployment Insurance Act.

9 L. The Director shall determine the method of sale, type of
10 bond, bond form, redemption provisions and other terms of the
11 Bonds that, in the Director's judgment, best achieve the
12 purposes of this Act and effect the borrowing at the lowest
13 practicable cost, provided that those determinations are not
14 inconsistent with this Act or other applicable legal
15 requirements. Those determinations shall be set forth in a
16 document entitled "Bond Sale Order" acceptable, in form and
17 substance, to the attorney or attorneys acting as bond counsel
18 for the Bonds in connection with the rendering of opinions
19 necessary for the issuance of the Bonds and executed by the
20 Director.

21 (Source: P.A. 93-634, eff. 1-1-04; 94-1083, eff. 1-19-07.)

22 Section 10. The Unemployment Insurance Act is amended by
23 changing Sections 401, 409, and 601 as follows:

24 (820 ILCS 405/401) (from Ch. 48, par. 401)

1 Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

2 A. With respect to any week beginning prior to April 24,
3 1983, an individual's weekly benefit amount shall be an amount
4 equal to the weekly benefit amount as defined in this Act as in
5 effect on November 30, 1982.

6 B. 1. With respect to any week beginning on or after April
7 24, 1983 and before January 3, 1988, an individual's weekly
8 benefit amount shall be 48% of his prior average weekly wage,
9 rounded (if not already a multiple of one dollar) to the next
10 higher dollar; provided, however, that the weekly benefit
11 amount cannot exceed the maximum weekly benefit amount, and
12 cannot be less than 15% of the statewide average weekly wage,
13 rounded (if not already a multiple of one dollar) to the next
14 higher dollar. However, the weekly benefit amount for an
15 individual who has established a benefit year beginning before
16 April 24, 1983, shall be determined, for weeks beginning on or
17 after April 24, 1983 claimed with respect to that benefit year,
18 as provided under this Act as in effect on November 30, 1982.
19 With respect to any week beginning on or after January 3, 1988
20 and before January 1, 1993, an individual's weekly benefit
21 amount shall be 49% of his prior average weekly wage, rounded
22 (if not already a multiple of one dollar) to the next higher
23 dollar; provided, however, that the weekly benefit amount
24 cannot exceed the maximum weekly benefit amount, and cannot be
25 less than \$51. With respect to any week beginning on or after
26 January 3, 1993 and during a benefit year beginning before

1 January 4, 2004, an individual's weekly benefit amount shall be
2 49.5% of his prior average weekly wage, rounded (if not already
3 a multiple of one dollar) to the next higher dollar; provided,
4 however, that the weekly benefit amount cannot exceed the
5 maximum weekly benefit amount and cannot be less than \$51. With
6 respect to any benefit year beginning on or after January 4,
7 2004 and before January 6, 2008, an individual's weekly benefit
8 amount shall be 48% of his or her prior average weekly wage,
9 rounded (if not already a multiple of one dollar) to the next
10 higher dollar; provided, however, that the weekly benefit
11 amount cannot exceed the maximum weekly benefit amount and
12 cannot be less than \$51. With respect to any benefit year
13 beginning on or after January 6, 2008, an individual's weekly
14 benefit amount shall be 47% of his or her prior average weekly
15 wage, rounded (if not already a multiple of one dollar) to the
16 next higher dollar; provided, however, that the weekly benefit
17 amount cannot exceed the maximum weekly benefit amount and
18 cannot be less than \$51.

19 2. For the purposes of this subsection:

20 With respect to any week beginning on or after April 24,
21 1983, an individual's "prior average weekly wage" means the
22 total wages for insured work paid to that individual during the
23 2 calendar quarters of his base period in which such total
24 wages were highest, divided by 26. If the quotient is not
25 already a multiple of one dollar, it shall be rounded to the
26 nearest dollar; however if the quotient is equally near 2

1 multiples of one dollar, it shall be rounded to the higher
2 multiple of one dollar.

3 "Determination date" means June 1, 1982, December 1, 1982
4 and December 1 of each succeeding calendar year thereafter.
5 However, if as of June 30, 1982, or any June 30 thereafter, the
6 net amount standing to the credit of this State's account in
7 the unemployment trust fund (less all outstanding advances to
8 that account, including advances pursuant to Title XII of the
9 federal Social Security Act) is greater than \$100,000,000,
10 "determination date" shall mean December 1 of that year and
11 June 1 of the succeeding year. Notwithstanding the preceding
12 sentence, for the purposes of this Act only, there shall be no
13 June 1 determination date in any year after 1986.

14 "Determination period" means, with respect to each June 1
15 determination date, the 12 consecutive calendar months ending
16 on the immediately preceding December 31 and, with respect to
17 each December 1 determination date, the 12 consecutive calendar
18 months ending on the immediately preceding June 30.

19 "Benefit period" means the 12 consecutive calendar month
20 period beginning on the first day of the first calendar month
21 immediately following a determination date, except that, with
22 respect to any calendar year in which there is a June 1
23 determination date, "benefit period" shall mean the 6
24 consecutive calendar month period beginning on the first day of
25 the first calendar month immediately following the preceding
26 December 1 determination date and the 6 consecutive calendar

1 month period beginning on the first day of the first calendar
2 month immediately following the June 1 determination date.
3 Notwithstanding the foregoing sentence, the 6 calendar months
4 beginning January 1, 1982 and ending June 30, 1982 shall be
5 deemed a benefit period with respect to which the determination
6 date shall be June 1, 1981.

7 "Gross wages" means all the wages paid to individuals
8 during the determination period immediately preceding a
9 determination date for insured work, and reported to the
10 Director by employers prior to the first day of the third
11 calendar month preceding that date.

12 "Covered employment" for any calendar month means the total
13 number of individuals, as determined by the Director, engaged
14 in insured work at mid-month.

15 "Average monthly covered employment" means one-twelfth of
16 the sum of the covered employment for the 12 months of a
17 determination period.

18 "Statewide average annual wage" means the quotient,
19 obtained by dividing gross wages by average monthly covered
20 employment for the same determination period, rounded (if not
21 already a multiple of one cent) to the nearest cent.

22 "Statewide average weekly wage" means the quotient,
23 obtained by dividing the statewide average annual wage by 52,
24 rounded (if not already a multiple of one cent) to the nearest
25 cent. Notwithstanding any provisions of this Section to the
26 contrary, the statewide average weekly wage for the benefit

1 period beginning July 1, 1982 and ending December 31, 1982
2 shall be the statewide average weekly wage in effect for the
3 immediately preceding benefit period plus one-half of the
4 result obtained by subtracting the statewide average weekly
5 wage for the immediately preceding benefit period from the
6 statewide average weekly wage for the benefit period beginning
7 July 1, 1982 and ending December 31, 1982 as such statewide
8 average weekly wage would have been determined but for the
9 provisions of this paragraph. Notwithstanding any provisions
10 of this Section to the contrary, the statewide average weekly
11 wage for the benefit period beginning April 24, 1983 and ending
12 January 31, 1984 shall be \$321 and for the benefit period
13 beginning February 1, 1984 and ending December 31, 1986 shall
14 be \$335, and for the benefit period beginning January 1, 1987,
15 and ending December 31, 1987, shall be \$350, except that for an
16 individual who has established a benefit year beginning before
17 April 24, 1983, the statewide average weekly wage used in
18 determining benefits, for any week beginning on or after April
19 24, 1983, claimed with respect to that benefit year, shall be
20 \$334.80, except that, for the purpose of determining the
21 minimum weekly benefit amount under subsection B(1) for the
22 benefit period beginning January 1, 1987, and ending December
23 31, 1987, the statewide average weekly wage shall be \$335; for
24 the benefit periods January 1, 1988 through December 31, 1988,
25 January 1, 1989 through December 31, 1989, and January 1, 1990
26 through December 31, 1990, the statewide average weekly wage

1 shall be \$359, \$381, and \$406, respectively. Notwithstanding
2 the preceding sentences of this paragraph, for the benefit
3 period of calendar year 1991, the statewide average weekly wage
4 shall be \$406 plus (or minus) an amount equal to the percentage
5 change in the statewide average weekly wage, as computed in
6 accordance with the preceding sentences of this paragraph,
7 between the benefit periods of calendar years 1989 and 1990,
8 multiplied by \$406; and, for the benefit periods of calendar
9 years 1992 through 2003 and calendar year 2005 and each
10 calendar year thereafter, the statewide average weekly wage,
11 shall be the statewide average weekly wage, as determined in
12 accordance with this sentence, for the immediately preceding
13 benefit period plus (or minus) an amount equal to the
14 percentage change in the statewide average weekly wage, as
15 computed in accordance with the preceding sentences of this
16 paragraph, between the 2 immediately preceding benefit
17 periods, multiplied by the statewide average weekly wage, as
18 determined in accordance with this sentence, for the
19 immediately preceding benefit period. However, for purposes of
20 the Workers' Compensation Act, the statewide average weekly
21 wage will be computed using June 1 and December 1 determination
22 dates of each calendar year and such determination shall not be
23 subject to the limitation of \$321, \$335, \$350, \$359, \$381, \$406
24 or the statewide average weekly wage as computed in accordance
25 with the preceding sentence of this paragraph.

26 With respect to any week beginning on or after April 24,

1 1983 and before January 3, 1988, "maximum weekly benefit
2 amount" means 48% of the statewide average weekly wage, rounded
3 (if not already a multiple of one dollar) to the nearest
4 dollar, provided however, that the maximum weekly benefit
5 amount for an individual who has established a benefit year
6 beginning before April 24, 1983, shall be determined, for weeks
7 beginning on or after April 24, 1983 claimed with respect to
8 that benefit year, as provided under this Act as amended and in
9 effect on November 30, 1982, except that the statewide average
10 weekly wage used in such determination shall be \$334.80.

11 With respect to any week beginning after January 2, 1988
12 and before January 1, 1993, "maximum weekly benefit amount"
13 with respect to each week beginning within a benefit period
14 means 49% of the statewide average weekly wage, rounded (if not
15 already a multiple of one dollar) to the next higher dollar.

16 With respect to any week beginning on or after January 3,
17 1993 and during a benefit year beginning before January 4,
18 2004, "maximum weekly benefit amount" with respect to each week
19 beginning within a benefit period means 49.5% of the statewide
20 average weekly wage, rounded (if not already a multiple of one
21 dollar) to the next higher dollar.

22 With respect to any benefit year beginning on or after
23 January 4, 2004 and before January 6, 2008, "maximum weekly
24 benefit amount" with respect to each week beginning within a
25 benefit period means 48% of the statewide average weekly wage,
26 rounded (if not already a multiple of one dollar) to the next

1 higher dollar.

2 With respect to any benefit year beginning on or after
3 January 6, 2008, "maximum weekly benefit amount" with respect
4 to each week beginning within a benefit period means 47% of the
5 statewide average weekly wage, rounded (if not already a
6 multiple of one dollar) to the next higher dollar.

7 C. With respect to any week beginning on or after April 24,
8 1983 and before January 3, 1988, an individual to whom benefits
9 are payable with respect to any week shall, in addition to such
10 benefits, be paid, with respect to such week, as follows: in
11 the case of an individual with a nonworking spouse, 7% of his
12 prior average weekly wage, rounded (if not already a multiple
13 of one dollar) to the higher dollar; provided, that the total
14 amount payable to the individual with respect to a week shall
15 not exceed 55% of the statewide average weekly wage, rounded
16 (if not already a multiple of one dollar) to the nearest
17 dollar; and in the case of an individual with a dependent child
18 or dependent children, 14.4% of his prior average weekly wage,
19 rounded (if not already a multiple of one dollar) to the higher
20 dollar; provided, that the total amount payable to the
21 individual with respect to a week shall not exceed 62.4% of the
22 statewide average weekly wage, rounded (if not already a
23 multiple of one dollar) to the next higher dollar with respect
24 to the benefit period beginning January 1, 1987 and ending
25 December 31, 1987, and otherwise to the nearest dollar.
26 However, for an individual with a nonworking spouse or with a

1 dependent child or children who has established a benefit year
2 beginning before April 24, 1983, the amount of additional
3 benefits payable on account of the nonworking spouse or
4 dependent child or children shall be determined, for weeks
5 beginning on or after April 24, 1983 claimed with respect to
6 that benefit year, as provided under this Act as in effect on
7 November 30, 1982, except that the statewide average weekly
8 wage used in such determination shall be \$334.80.

9 With respect to any week beginning on or after January 2,
10 1988 and before January 1, 1991 and any week beginning on or
11 after January 1, 1992, and before January 1, 1993, an
12 individual to whom benefits are payable with respect to any
13 week shall, in addition to those benefits, be paid, with
14 respect to such week, as follows: in the case of an individual
15 with a nonworking spouse, 8% of his prior average weekly wage,
16 rounded (if not already a multiple of one dollar) to the next
17 higher dollar, provided, that the total amount payable to the
18 individual with respect to a week shall not exceed 57% of the
19 statewide average weekly wage, rounded (if not already a
20 multiple of one dollar) to the next higher dollar; and in the
21 case of an individual with a dependent child or dependent
22 children, 15% of his prior average weekly wage, rounded (if not
23 already a multiple of one dollar) to the next higher dollar,
24 provided that the total amount payable to the individual with
25 respect to a week shall not exceed 64% of the statewide average
26 weekly wage, rounded (if not already a multiple of one dollar)

1 to the next higher dollar.

2 With respect to any week beginning on or after January 1,
3 1991 and before January 1, 1992, an individual to whom benefits
4 are payable with respect to any week shall, in addition to the
5 benefits, be paid, with respect to such week, as follows: in
6 the case of an individual with a nonworking spouse, 8.3% of his
7 prior average weekly wage, rounded (if not already a multiple
8 of one dollar) to the next higher dollar, provided, that the
9 total amount payable to the individual with respect to a week
10 shall not exceed 57.3% of the statewide average weekly wage,
11 rounded (if not already a multiple of one dollar) to the next
12 higher dollar; and in the case of an individual with a
13 dependent child or dependent children, 15.3% of his prior
14 average weekly wage, rounded (if not already a multiple of one
15 dollar) to the next higher dollar, provided that the total
16 amount payable to the individual with respect to a week shall
17 not exceed 64.3% of the statewide average weekly wage, rounded
18 (if not already a multiple of one dollar) to the next higher
19 dollar.

20 With respect to any week beginning on or after January 3,
21 1993, during a benefit year beginning before January 4, 2004,
22 an individual to whom benefits are payable with respect to any
23 week shall, in addition to those benefits, be paid, with
24 respect to such week, as follows: in the case of an individual
25 with a nonworking spouse, 9% of his prior average weekly wage,
26 rounded (if not already a multiple of one dollar) to the next

1 higher dollar, provided, that the total amount payable to the
2 individual with respect to a week shall not exceed 58.5% of the
3 statewide average weekly wage, rounded (if not already a
4 multiple of one dollar) to the next higher dollar; and in the
5 case of an individual with a dependent child or dependent
6 children, 16% of his prior average weekly wage, rounded (if not
7 already a multiple of one dollar) to the next higher dollar,
8 provided that the total amount payable to the individual with
9 respect to a week shall not exceed 65.5% of the statewide
10 average weekly wage, rounded (if not already a multiple of one
11 dollar) to the next higher dollar.

12 With respect to any benefit year beginning on or after
13 January 4, 2004 and before January 6, 2008, an individual to
14 whom benefits are payable with respect to any week shall, in
15 addition to those benefits, be paid, with respect to such week,
16 as follows: in the case of an individual with a nonworking
17 spouse, 9% of his or her prior average weekly wage, rounded (if
18 not already a multiple of one dollar) to the next higher
19 dollar, provided, that the total amount payable to the
20 individual with respect to a week shall not exceed 57% of the
21 statewide average weekly wage, rounded (if not already a
22 multiple of one dollar) to the next higher dollar; and in the
23 case of an individual with a dependent child or dependent
24 children, 17.2% of his or her prior average weekly wage,
25 rounded (if not already a multiple of one dollar) to the next
26 higher dollar, provided that the total amount payable to the

1 individual with respect to a week shall not exceed 65.2% of the
2 statewide average weekly wage, rounded (if not already a
3 multiple of one dollar) to the next higher dollar.

4 With respect to any benefit year beginning on or after
5 January 6, 2008 and before January 1, 2010, an individual to
6 whom benefits are payable with respect to any week shall, in
7 addition to those benefits, be paid, with respect to such week,
8 as follows: in the case of an individual with a nonworking
9 spouse, 9% of his or her prior average weekly wage, rounded (if
10 not already a multiple of one dollar) to the next higher
11 dollar, provided, that the total amount payable to the
12 individual with respect to a week shall not exceed 56% of the
13 statewide average weekly wage, rounded (if not already a
14 multiple of one dollar) to the next higher dollar; and ~~with~~
15 ~~respect to any benefit year beginning before January 1, 2010,~~
16 in the case of an individual with a dependent child or
17 dependent children, 18.2% of his or her prior average weekly
18 wage, rounded (if not already a multiple of one dollar) to the
19 next higher dollar, provided that the total amount payable to
20 the individual with respect to a week shall not exceed 65.2% of
21 the statewide average weekly wage, rounded (if not already a
22 multiple of one dollar) to the next higher dollar.

23 The additional amount paid pursuant to this subsection in
24 the case of an individual with a dependent child or dependent
25 children shall be referred to as the "dependent child
26 allowance", and the percentage rate by which an individual's

1 prior average weekly wage is multiplied pursuant to this
2 subsection to calculate the dependent child allowance shall be
3 referred to as the "dependent child allowance rate".

4 With respect to any benefit year beginning on or after
5 January 1, 2010, an individual to whom benefits are payable
6 with respect to any week shall, in addition to those benefits,
7 be paid, with respect to such week, as follows: in the case of
8 an individual with a nonworking spouse, the greater of (i) 9%
9 of his or her prior average weekly wage, rounded (if not
10 already a multiple of one dollar) to the next higher dollar, or
11 (ii) \$15, provided that the total amount payable to the
12 individual with respect to a week shall not exceed 56% of the
13 statewide average weekly wage, rounded (if not already a
14 multiple of one dollar) to the next higher dollar; and in the
15 case of an individual with a dependent child or dependent
16 children, the greater of (i) the product of the dependent child
17 allowance rate multiplied by his or her prior average weekly
18 wage, rounded (if not already a multiple of one dollar) to the
19 next higher dollar, or (ii) the lesser of \$50 or 50% of his or
20 her weekly benefit amount, rounded (if not already a multiple
21 of one dollar) to the next higher dollar, provided that the
22 total amount payable to the individual with respect to a week
23 shall not exceed the product of the statewide average weekly
24 wage multiplied by the sum of 47% plus the dependent child
25 allowance rate, rounded (if not already a multiple of one
26 dollar) to the next higher dollar.

1 With respect to each benefit year beginning ~~in a calendar~~
2 ~~year~~ after calendar year 2009, the ~~percentage rate used to~~
3 ~~calculate the~~ dependent child allowance rate shall be the sum
4 of the allowance adjustment applicable pursuant to Section
5 1400.1 to the calendar year in which the benefit year begins,
6 plus ~~the percentage rate used to calculate~~ the dependent child
7 allowance rate with respect to each benefit year beginning in
8 the immediately preceding calendar year, except as otherwise
9 provided in this subsection , ~~provided that the total amount~~
10 ~~payable to the individual with respect to a week beginning in~~
11 ~~such benefit year shall not exceed the product of the statewide~~
12 ~~average weekly wage, rounded (if not already a multiple of one~~
13 ~~dollar) to the next higher dollar and the sum of 47% plus the~~
14 ~~percentage rate used to calculate the individual's dependent~~
15 ~~child allowance. The~~ Notwithstanding any provision to the
16 ~~contrary, the percentage rate used to calculate the~~ dependent
17 child allowance rate with respect to each ~~any~~ benefit year
18 beginning in calendar year ~~on or after January 1,~~ 2010~~,~~ shall
19 not be ~~less than 17.3% or~~ greater than 18.2%. The dependent
20 child allowance rate with respect to each benefit year
21 beginning in calendar year 2011 shall be reduced by 0.2%
22 absolute below the rate it would otherwise have been pursuant
23 to this subsection and, with respect to each benefit year
24 beginning after calendar year 2010, except as otherwise
25 provided, shall not be less than 17.1% or greater than 18.0%.
26 Unless, as a result of this sentence, the agreement between the

1 Federal Government and State regarding the Federal Additional
2 Compensation program established under Section 2002 of the
3 American Recovery and Reinvestment Act, or a successor program,
4 would not apply or would cease to apply, the dependent child
5 allowance rate with respect to each benefit year beginning in
6 calendar year 2012 shall be reduced by 0.1% absolute below the
7 rate it would otherwise have been pursuant to this subsection
8 and, with respect to each benefit year beginning after calendar
9 year 2011, shall not be less than 17.0% or greater than 17.9%.

10 For the purposes of this subsection:

11 "Dependent" means a child or a nonworking spouse.

12 "Child" means a natural child, stepchild, or adopted child
13 of an individual claiming benefits under this Act or a child
14 who is in the custody of any such individual by court order,
15 for whom the individual is supplying and, for at least 90
16 consecutive days (or for the duration of the parental
17 relationship if it has existed for less than 90 days)
18 immediately preceding any week with respect to which the
19 individual has filed a claim, has supplied more than one-half
20 the cost of support, or has supplied at least 1/4 of the cost
21 of support if the individual and the other parent, together,
22 are supplying and, during the aforesaid period, have supplied
23 more than one-half the cost of support, and are, and were
24 during the aforesaid period, members of the same household; and
25 who, on the first day of such week (a) is under 18 years of age,
26 or (b) is, and has been during the immediately preceding 90

1 days, unable to work because of illness or other disability:
2 provided, that no person who has been determined to be a child
3 of an individual who has been allowed benefits with respect to
4 a week in the individual's benefit year shall be deemed to be a
5 child of the other parent, and no other person shall be
6 determined to be a child of such other parent, during the
7 remainder of that benefit year.

8 "Nonworking spouse" means the lawful husband or wife of an
9 individual claiming benefits under this Act, for whom more than
10 one-half the cost of support has been supplied by the
11 individual for at least 90 consecutive days (or for the
12 duration of the marital relationship if it has existed for less
13 than 90 days) immediately preceding any week with respect to
14 which the individual has filed a claim, but only if the
15 nonworking spouse is currently ineligible to receive benefits
16 under this Act by reason of the provisions of Section 500E.

17 An individual who was obligated by law to provide for the
18 support of a child or of a nonworking spouse for the aforesaid
19 period of 90 consecutive days, but was prevented by illness or
20 injury from doing so, shall be deemed to have provided more
21 than one-half the cost of supporting the child or nonworking
22 spouse for that period.

23 (Source: P.A. 93-634, eff. 1-1-04.)

24 (820 ILCS 405/409) (from Ch. 48, par. 409)

25 Sec. 409. Extended Benefits.

1 A. For the purposes of this Section:

2 1. "Extended benefit period" means a period which
3 begins with the third week after a week for which there is
4 a State "on" indicator; and ends with either of the
5 following weeks, whichever occurs later: (1) the third week
6 after the first week for which there is a State "off"
7 indicator, or (2) the thirteenth consecutive week of such
8 period. No extended benefit period shall begin by reason of
9 a State "on" indicator before the fourteenth week following
10 the end of a prior extended benefit period.

11 2. There is a "State 'on' indicator" for a week if (a)
12 the Director determines, in accordance with the
13 regulations of the United States Secretary of Labor or
14 other appropriate Federal agency, that for the period
15 consisting of such week and the immediately preceding
16 twelve weeks, the rate of insured unemployment (not
17 seasonally adjusted) in this State ~~(a) equaled or exceeded~~
18 ~~4% and equaled or exceeded 120% of the average of such~~
19 ~~rates for the corresponding 13 week period ending in each~~
20 ~~of the preceding two calendar years, or (b) equaled or~~
21 ~~exceeded 5%; for weeks beginning after September 25, 1982~~
22 (1) equaled or exceeded 5% and equaled or exceeded 120% of
23 the average of such rates for the corresponding 13-week
24 period ending in each of the preceding 2 calendar years, or
25 (2) equaled or exceeded 6 percent, or (b) the United States
26 Secretary of Labor determines that (1) the average rate of

1 total unemployment in this State (seasonally adjusted) for
2 the period consisting of the most recent 3 months for which
3 data for all states are published before the close of such
4 week equals or exceeds 6.5%, and (2) the average rate of
5 total unemployment in this State (seasonally adjusted) for
6 the 3-month period referred to in (1) equals or exceeds
7 110% of such average rate for either (or both) of the
8 corresponding 3-month periods ending in the 2 preceding
9 calendar years. Clause (b) of this paragraph shall only
10 apply to weeks beginning on or after February 22, 2009,
11 through the week ending 3 weeks prior to the last week for
12 which federal sharing is provided as authorized by Section
13 2005(a) of Public Law 111-5 and is inoperative as of the
14 end of the last week for which federal sharing is provided
15 as authorized by Section 2005(a) of Public Law 111-5.

16 3. There is a "State 'off' indicator" for a week if
17 there is not a State 'on' indicator for the week pursuant
18 to paragraph 2 the Director determines, in accordance with
19 the regulations of the United States Secretary of Labor or
20 other appropriate Federal agency, that for the period
21 consisting of such week and the immediately preceding
22 twelve weeks, the rate of insured unemployment (not
23 seasonally adjusted) in this State (a) was less than 5% and
24 was less than 120% of the average of such rates for the
25 corresponding 13 week period ending in each of the
26 preceding 2 calendar years, or (b) was less than 4%; and

1 ~~for weeks beginning after September 25, 1982, (1) was less~~
2 ~~than 6% and less than 120% of the average of such rates for~~
3 ~~the corresponding 13-week period ending in each of the~~
4 ~~preceding 2 calendar years, or (2) was less than 5%.~~

5 4. "Rate of insured unemployment", for the purpose of
6 ~~paragraph paragraphs 2 and 3~~, means the percentage derived
7 by dividing (a) the average weekly number of individuals
8 filing claims for "regular benefits" in this State for
9 weeks of unemployment with respect to the most recent 13
10 consecutive week period, as determined by the Director on
11 the basis of his reports to the United States Secretary of
12 Labor or other appropriate Federal agency, by (b) the
13 average monthly employment covered under this Act for the
14 first four of the most recent six completed calendar
15 quarters ending before the close of such 13-week period.

16 5. "Regular benefits" means benefits, other than
17 extended benefits and additional benefits, payable to an
18 individual (including dependents' allowances) under this
19 Act or under any other State unemployment compensation law
20 (including benefits payable to Federal civilian employees
21 and ex-servicemen pursuant to 5 U.S.C. chapter 85).

22 6. "Extended benefits" means benefits (including
23 benefits payable to Federal civilian employees and
24 ex-servicemen pursuant to 5 U.S.C. chapter 85) payable to
25 an individual under the provisions of this Section for
26 weeks which begin in his eligibility period.

1 7. "Additional benefits" means benefits totally
2 financed by a State and payable to exhaustees (as defined
3 in subsection C) by reason of conditions of high
4 unemployment or by reason of other specified factors. If an
5 individual is eligible to receive extended benefits under
6 the provisions of this Section and is eligible to receive
7 additional benefits with respect to the same week under the
8 law of another State, he may elect to claim either extended
9 benefits or additional benefits with respect to the week.

10 8. "Eligibility period" means the period consisting of
11 the weeks in an individual's benefit year which begin in an
12 extended benefit period and, if his benefit year ends
13 within such extended benefit period, any weeks thereafter
14 which begin in such period. An individual's eligibility
15 period shall also include such other weeks as federal law
16 may allow.

17 9. Notwithstanding any other provision to the contrary
18 ~~of the provisions of Sections 1404, 1405B, and 1501,~~ no
19 employer shall be liable for payments in lieu of
20 contributions pursuant to Section 1404, ~~and wages shall not~~
21 ~~become benefit wages,~~ by reason of the payment of extended
22 benefits which are wholly reimbursed to this State by the
23 Federal Government or would have been wholly reimbursed to
24 this State by the Federal Government if the employer had
25 paid all of the claimant's wages during the applicable base
26 period. ~~With respect to extended benefits, paid prior to~~

1 ~~July 1, 1989, wages shall become benefit wages under~~
2 ~~Section 1501 only when an individual is first paid such~~
3 ~~benefits with respect to his eligibility period which are~~
4 ~~not wholly reimbursed to this State by the Federal~~
5 ~~Government. Extended benefits , paid on or after July 1,~~
6 ~~1989, shall not become benefit charges under Section 1501.1~~
7 ~~if they are wholly reimbursed to this State by the Federal~~
8 ~~Government or would have been wholly reimbursed to this~~
9 ~~State by the Federal Government if the employer had paid~~
10 ~~all of the claimant's wages during the applicable base~~
11 ~~period. For purposes of this paragraph, extended benefits~~
12 ~~will be considered to be wholly reimbursed by the Federal~~
13 ~~Government notwithstanding the operation of Section~~
14 ~~204(a)(2)(D) of the Federal-State Extended Unemployment~~
15 ~~Compensation Act of 1970 only when any individual is paid~~
16 ~~such benefits with respect to his eligibility period which~~
17 ~~are not wholly reimbursed by the Federal Government.~~

18 B. An individual shall be eligible to receive extended
19 benefits pursuant to this Section for any week which begins in
20 his eligibility period if, with respect to such week (1) he has
21 been paid wages for insured work during his base period equal
22 to at least 1 1/2 times the wages paid in that calendar quarter
23 of his base period in which such wages were highest, ~~provided~~
24 ~~that this provision applies only with respect to weeks~~
25 ~~beginning after September 25, 1982;~~ (2) he has met the
26 requirements of Section 500E of this Act; (3) he is an

1 exhaustee; and (4) except when the result would be inconsistent
2 with the provisions of this Section, he has satisfied the
3 requirements of this Act for the receipt of regular benefits.

4 C. An individual is an exhaustee with respect to a week
5 which begins in his eligibility period if:

6 1. Prior to such week (a) he has received, with respect
7 to his current benefit year that includes such week, the
8 maximum total amount of benefits to which he was entitled
9 under the provisions of Section 403B, and all of the
10 regular benefits (including dependents' allowances) to
11 which he had entitlement (if any) on the basis of wages or
12 employment under any other State unemployment compensation
13 law; or (b) he has received all the regular benefits
14 available to him with respect to his current benefit year
15 that includes such week, under this Act and under any other
16 State unemployment compensation law, after a cancellation
17 of some or all of his wage credits or the partial or total
18 reduction of his regular benefit rights; or (c) his benefit
19 year terminated, and he cannot meet the qualifying wage
20 requirements of Section 500E of this Act or the qualifying
21 wage or employment requirements of any other State
22 unemployment compensation law to establish a new benefit
23 year which would include such week or, having established a
24 new benefit year that includes such week, he is ineligible
25 for regular benefits by reason of Section 607 of this Act
26 or a like provision of any other State unemployment

1 compensation law; and

2 2. For such week (a) he has no right to benefits or
3 allowances, as the case may be, under the Railroad
4 Unemployment Insurance Act, or such other Federal laws as
5 are specified in regulations of the United States Secretary
6 of Labor or other appropriate Federal agency; and (b) he
7 has not received and is not seeking benefits under the
8 unemployment compensation law of Canada, except that if he
9 is seeking such benefits and the appropriate agency finally
10 determines that he is not entitled to benefits under such
11 law, this clause shall not apply.

12 3. For the purposes of clauses (a) and (b) of paragraph
13 1 of this subsection, an individual shall be deemed to have
14 received, with respect to his current benefit year, the
15 maximum total amount of benefits to which he was entitled
16 or all of the regular benefits to which he had entitlement,
17 or all of the regular benefits available to him, as the
18 case may be, even though (a) as a result of a pending
19 reconsideration or appeal with respect to the "finding"
20 defined in Section 701, or of a pending appeal with respect
21 to wages or employment or both under any other State
22 unemployment compensation law, he may subsequently be
23 determined to be entitled to more regular benefits; or (b)
24 by reason of a seasonality provision in a State
25 unemployment compensation law which establishes the weeks
26 of the year for which regular benefits may be paid to

1 individuals on the basis of wages in seasonal employment he
2 may be entitled to regular benefits for future weeks but
3 such benefits are not payable with respect to the week for
4 which he is claiming extended benefits, provided that he is
5 otherwise an exhaustee under the provisions of this
6 subsection with respect to his rights to regular benefits,
7 under such seasonality provision, during the portion of the
8 year in which that week occurs; or (c) having established a
9 benefit year, no regular benefits are payable to him with
10 respect to such year because his wage credits were
11 cancelled or his rights to regular benefits were totally
12 reduced by reason of the application of a disqualification
13 provision of a State unemployment compensation law.

14 D. 1. The provisions of Section 607 and the waiting period
15 requirements of Section 500D shall not be applicable to any
16 week with respect to which benefits are otherwise payable
17 under this Section.

18 2. An individual shall not cease to be an exhaustee
19 with respect to any week solely because he meets the
20 qualifying wage requirements of Section 500E for a part of
21 such week.

22 ~~3. For the purposes of this Section, the "base period"~~
23 ~~referred to in Sections 601 and 602 shall be the base~~
24 ~~period with respect to the benefit year in which the~~
25 ~~individual's eligibility period begins.~~

26 E. With respect to any week which begins in his eligibility

1 period, an exhaustee's "weekly extended benefit amount" shall
2 be the same as his weekly benefit amount during his benefit
3 year which includes such week or, if such week is not in a
4 benefit year, during his applicable benefit year, as defined in
5 regulations issued by the United States Secretary of Labor or
6 other appropriate Federal agency. If the exhaustee had more
7 than one weekly benefit amount during his benefit year, his
8 weekly extended benefit amount with respect to such week shall
9 be the latest of such weekly benefit amounts.

10 F. 1. An eligible exhaustee shall be entitled, during any
11 eligibility period, to a maximum total amount of extended
12 benefits equal to the lesser of the following amounts:

13 a. ~~1.~~ Fifty percent of the maximum total amount of
14 benefits to which he was entitled under Section 403B during
15 his applicable benefit year; ~~or~~

16 b. ~~2.~~ Thirteen times his weekly extended benefit amount
17 as determined under subsection E; or ~~-~~

18 c. ~~3.~~ Thirty-nine times his or her average weekly extended
19 benefit amount, reduced by the regular benefits (not
20 including any dependents' allowances) paid to him or her
21 during such benefit year.

22 2. An eligible exhaustee shall be entitled, during a "high
23 unemployment period", to a maximum total amount of extended
24 benefits equal to the lesser of the following amounts:

25 a. ~~1.~~ Eighty percent of the maximum total amount of
26 benefits to which he or she was entitled under Section 403B

1 during his or her applicable benefit year;

2 b. Twenty times his or her weekly extended benefit
3 amount as determined under subsection E; or

4 c. Forty-six times his or her average weekly extended
5 benefit amount, reduced by the regular benefits (not
6 including any dependents' allowances) paid to him or her
7 during such benefit year.

8 For purposes of this paragraph, the term "high unemployment
9 period" means any period during which (i) clause (b) of
10 paragraph (2) of subsection A is operative and (ii) an extended
11 benefit period would be in effect if clause (b) of paragraph
12 (2) of subsection A of this Section were applied by
13 substituting "8%" for "6.5%".

14 3. Notwithstanding ~~paragraphs~~ ~~subparagraphs~~ 1 and 2 of this
15 subsection F, and if the benefit year of an individual ends
16 within an extended benefit period, the remaining balance of
17 extended benefits that the individual would, but for this
18 subsection F, be otherwise entitled to receive in that extended
19 benefit period, for weeks of unemployment beginning after the
20 end of the benefit year, shall be reduced (but not below zero)
21 by the product of the number of weeks for which the individual
22 received any amounts as trade readjustment allowances as
23 defined in the federal Trade Act of 1974 within that benefit
24 year multiplied by his weekly benefit amount for extended
25 benefits.

26 G. 1. A claims adjudicator shall examine the first claim

1 filed by an individual with respect to his eligibility
2 period and, on the basis of the information in his
3 possession, shall make an "extended benefits finding".
4 Such finding shall state whether or not the individual has
5 met the requirement of subsection B(1), is an exhaustee
6 and, if he is, his weekly extended benefit amount and the
7 maximum total amount of extended benefits to which he is
8 entitled. The claims adjudicator shall promptly notify the
9 individual of his "extended benefits finding", and shall
10 promptly notify the individual's most recent employing
11 unit, ~~with respect to benefit years beginning on or after~~
12 ~~July 1, 1989~~ and the individual's last employer (referred
13 to in Section 1502.1) that the individual has filed a claim
14 for extended benefits. The claims adjudicator may
15 reconsider his "extended benefits finding" at any time
16 within one year after the close of the individual's
17 eligibility period, and shall promptly notify the
18 individual of such reconsidered finding. All of the
19 provisions of this Act applicable to reviews from findings
20 or reconsidered findings made pursuant to Sections 701 and
21 703 which are not inconsistent with the provisions of this
22 subsection shall be applicable to reviews from extended
23 benefits findings and reconsidered extended benefits
24 findings.

25 2. If, pursuant to the reconsideration or appeal with
26 respect to a "finding", referred to in paragraph 3 of

1 subsection C, an exhaustee is found to be entitled to more
2 regular benefits and, by reason thereof, is entitled to
3 more extended benefits, the claims adjudicator shall make a
4 reconsidered extended benefits finding and shall promptly
5 notify the exhaustee thereof.

6 H. Whenever an extended benefit period is to begin in this
7 State because there is a State "on" indicator, or whenever an
8 extended benefit period is to end in this State because there
9 is a State "off" indicator, the Director shall make an
10 appropriate public announcement.

11 I. Computations required by the provisions of paragraph 4 ~~6~~
12 of subsection A shall be made by the Director in accordance
13 with regulations prescribed by the United States Secretary of
14 Labor, or other appropriate Federal agency.

15 J. 1. Interstate Benefit Payment Plan means the plan
16 approved by the Interstate Conference of Employment
17 Security Agencies under which benefits shall be payable to
18 unemployed individuals absent from the state (or states) in
19 which benefit credits have been accumulated.

20 2. An individual who commutes from his state of
21 residence to work in another state and continues to reside
22 in such state of residence while filing his claim for
23 unemployment insurance under this Section of the Act shall
24 not be considered filing a claim under the Interstate
25 Benefit Payment Plan so long as he files his claim in and
26 continues to report to the employment office under the

1 regulations applicable to intrastate claimants in the
2 state in which he was so employed.

3 3. "State" when used in this subsection includes States
4 of the United States of America, the District of Columbia,
5 Puerto Rico and the Virgin Islands. For purposes of this
6 subsection, the term "state" shall also be construed to
7 include Canada.

8 4. Notwithstanding any other provision of this Act,
9 ~~effective with weeks beginning on or after June 1, 1981~~ an
10 individual shall be eligible for a maximum of 2 weeks of
11 benefits payable under this Section after he files his
12 initial claim for extended benefits in an extended benefit
13 period, as defined in paragraph 1 of subsection A, under
14 the Interstate Benefit Payment Plan unless there also
15 exists an extended benefit period, as defined in paragraph
16 1 of subsection A, in the state where such claim is filed.
17 Such maximum eligibility shall continue as long as the
18 individual continues to file his claim under the Interstate
19 Benefit Payment Plan, notwithstanding that the individual
20 moves to another state where an extended benefit period
21 exists and files for weeks prior to his initial Interstate
22 claim in that state.

23 5. To assure full tax credit to the employers of this
24 state against the tax imposed by the Federal Unemployment
25 Tax Act, the Director shall take any action or issue any
26 regulations necessary in the administration of this

1 subsection to insure that its provisions are so interpreted
2 and applied as to meet the requirements of such Federal Act
3 as interpreted by the United States Secretary of Labor or
4 other appropriate Federal agency.

5 K. 1. Notwithstanding any other provisions of this Act, an
6 individual shall be ineligible for the payment of extended
7 benefits for any week of unemployment in his eligibility
8 period if the Director finds that during such period:

9 a. he failed to accept any offer of suitable work
10 (as defined in paragraph 3 below) or failed to apply
11 for any suitable work to which he was referred by the
12 Director; or

13 b. he failed to actively engage in seeking work as
14 prescribed under paragraph 5 below.

15 2. Any individual who has been found ineligible for
16 extended benefits by reason of the provisions of paragraph
17 1 of this subsection shall be denied benefits beginning
18 with the first day of the week in which such failure has
19 occurred and until he has been employed in each of 4
20 subsequent weeks (whether or not consecutive) and has
21 earned remuneration equal to at least 4 times his weekly
22 benefit amount.

23 3. For purposes of this subsection only, the term
24 "suitable work" means, with respect to any individual, any
25 work which is within such individual's capabilities,
26 provided, however, that the gross average weekly

1 remuneration payable for the work ~~must exceed the sum of:~~

2 a. must exceed the sum of (i) the individual's
3 extended weekly benefit amount as determined under
4 subsection E above plus (ii) ~~b.~~ the amount, if any, of
5 supplemental unemployment benefits (as defined in
6 Section 501(c)(17)(D) of the Internal Revenue Code of
7 1954) payable to such individual for such week; and
8 further,

9 b. is ~~e. pays wages~~ not less than the higher of --

10 (i) the minimum wage provided by Section 6
11 (a)(1) of the Fair Labor Standards Act of 1938,
12 without regard to any exemption; or

13 (ii) the applicable state or local minimum
14 wage;

15 c. d. provided, however, that no individual shall
16 be denied extended benefits for failure to accept an
17 offer of or apply for any job which meets the
18 definition of suitability as described above if:

19 (i) the position was not offered to such
20 individual in writing or was not listed with the
21 employment service;

22 (ii) such failure could not result in a denial
23 of benefits under the definition of suitable work
24 for regular benefits claimants in Section 603 to
25 the extent that the criteria of suitability in that
26 Section are not inconsistent with the provisions

1 of this paragraph 3;

2 (iii) the individual furnishes satisfactory
3 evidence to the Director that his prospects for
4 obtaining work in his customary occupation within
5 a reasonably short period are good. If such
6 evidence is deemed satisfactory for this purpose,
7 the determination of whether any work is suitable
8 with respect to such individual shall be made in
9 accordance with the definition of suitable work
10 for regular benefits in Section 603 without regard
11 to the definition specified by this paragraph.

12 4. Notwithstanding the provisions of paragraph 3 to the
13 contrary, no work shall be deemed to be suitable work for
14 an individual which does not accord with the labor standard
15 provisions required by Section 3304(a)(5) of the Internal
16 Revenue Code of 1954 and set forth herein under Section 603
17 of this Act.

18 5. For the purposes of subparagraph b of paragraph 1,
19 an individual shall be treated as actively engaged in
20 seeking work during any week if --

21 a. the individual has engaged in a systematic and
22 sustained effort to obtain work during such week, and

23 b. the individual furnishes tangible evidence that
24 he has engaged in such effort during such week.

25 6. The employment service shall refer any individual
26 entitled to extended benefits under this Act to any

1 suitable work which meets the criteria prescribed in
2 paragraph 3.

3 7. Notwithstanding any other provision of this Act, an
4 individual shall not be eligible to receive extended
5 benefits, otherwise payable under this Section, with
6 respect to any week of unemployment in his eligibility
7 period if such individual has been held ineligible for
8 benefits under the provisions of Sections 601, 602 or 603
9 of this Act until such individual had requalified for such
10 benefits by returning to employment and satisfying the
11 monetary requalification provision by earning at least his
12 weekly benefit amount.

13 ~~8. This subsection shall be effective for weeks~~
14 ~~beginning on or after March 31, 1981, and before March 7,~~
15 ~~1993, and for weeks beginning on or after January 1, 1995.~~

16 L. The Governor may, if federal law so allows, elect, in
17 writing, to pay individuals, otherwise eligible for extended
18 benefits pursuant to this Section, any other federally funded
19 unemployment benefits, including but not limited to benefits
20 payable pursuant to the federal Supplemental Appropriations
21 Act, 2008, as amended, prior to paying them benefits under this
22 Section.

23 M. The provisions of this Section, as revised by this
24 amendatory Act of the 96th General Assembly, are retroactive to
25 February 22, 2009. The provisions of this amendatory Act of the
26 96th General Assembly with regard to subsection L and paragraph

1 8 of subsection A clarify authority already provided.

2 (Source: P.A. 86-3; 87-1266.)

3 (820 ILCS 405/601) (from Ch. 48, par. 431)

4 Sec. 601. Voluntary leaving.

5 A. An individual shall be ineligible for benefits for the
6 week in which he or she has left work voluntarily without good
7 cause attributable to the employing unit and, thereafter, until
8 he or she has become reemployed and has had earnings equal to
9 or in excess of his or her current weekly benefit amount in
10 each of four calendar weeks which are either for services in
11 employment, or have been or will be reported pursuant to the
12 provisions of the Federal Insurance Contributions Act by each
13 employing unit for which such services are performed and which
14 submits a statement certifying to that fact.

15 B. The provisions of this Section shall not apply to an
16 individual who has left work voluntarily:

17 1. Because he or she is deemed physically unable to
18 perform his or her work by a licensed and practicing
19 physician, or because the individual's ~~or has left work~~
20 ~~voluntarily upon the advice of a licensed and practicing~~
21 ~~physician that~~ assistance is necessary for the purpose of
22 caring for his or her spouse, child, or parent who,
23 according to a licensed and practicing physician or as
24 otherwise reasonably verified, is in poor physical or
25 mental health or is mentally or physically disabled and the

1 employer is unable to accommodate the individual's need to
2 provide such assistance ~~will not allow him to perform the~~
3 ~~usual and customary duties of his employment, and he has~~
4 ~~notified the employing unit of the reasons for his absence;~~

5 2. To accept other bona fide work and, after such
6 acceptance, the individual is either not unemployed in each
7 of 2 weeks, or earns remuneration for such work equal to at
8 least twice his or her current weekly benefit amount;

9 3. In lieu of accepting a transfer to other work
10 offered to the individual by the employing unit under the
11 terms of a collective bargaining agreement or pursuant to
12 an established employer plan, program, or policy, if the
13 acceptance of such other work by the individual would
14 require the separation from that work of another individual
15 currently performing it;

16 4. Solely because of the sexual harassment of the
17 individual by another employee. Sexual harassment means
18 (1) unwelcome sexual advances, requests for sexual favors,
19 sexually motivated physical contact or other conduct or
20 communication which is made a term or condition of the
21 employment or (2) the employee's submission to or rejection
22 of such conduct or communication which is the basis for
23 decisions affecting employment, or (3) when such conduct or
24 communication has the purpose or effect of substantially
25 interfering with an individual's work performance or
26 creating an intimidating, hostile, or offensive working

1 environment and the employer knows or should know of the
2 existence of the harassment and fails to take timely and
3 appropriate action;

4 5. Which he or she had accepted after separation from
5 other work, and the work which he or she left voluntarily
6 would be deemed unsuitable under the provisions of Section
7 603;

8 6. (a) Because the individual left work due to verified
9 ~~circumstances resulting from the individual being a victim~~
10 ~~of~~ domestic violence as defined in Section 103 of the
11 Illinois Domestic Violence Act of 1986 where the domestic
12 violence caused the individual to reasonably believe that
13 his or her continued employment would jeopardize his or her
14 safety or the safety of his or her spouse, minor child, or
15 parent ; ~~and provided, such individual has made reasonable~~
16 ~~efforts to preserve the employment.~~

17 ~~For the purposes of this paragraph 6, the individual~~
18 ~~shall be treated as being a victim of domestic violence~~ if
19 the individual provides the following:

20 (i) ~~written~~ notice to the employing unit of the
21 reason for the individual's voluntarily leaving; and

22 (ii) to the Department provides:

23 (A) an order of protection or other
24 documentation of equitable relief issued by a
25 court of competent jurisdiction; or

26 (B) a police report or criminal charges

1 documenting the domestic violence; or

2 (C) medical documentation of the domestic
3 violence; or

4 (D) evidence of domestic violence from a
5 member of the clergy, attorney, counselor, social
6 worker, health worker or domestic violence shelter
7 worker.

8 (b) If the individual does not meet the provisions of
9 subparagraph (a), the individual shall be held to have
10 voluntarily terminated employment for the purpose of
11 determining the individual's eligibility for benefits
12 pursuant to subsection A.

13 (c) Notwithstanding any other provision to the
14 contrary, evidence of domestic violence experienced by an
15 individual, or his or her spouse, minor child, or parent,
16 including the individual's statement and corroborating
17 evidence, shall not be disclosed by the Department unless
18 consent for disclosure is given by the individual.

19 7. Because, due to a change in location of employment
20 of the individual's spouse, the individual left work to
21 accompany his or her spouse to a place from which it is
22 impractical to commute or because the individual left
23 employment to accompany a spouse who has been reassigned
24 from one military assignment to another. The employer's
25 account, however, shall not be charged for any benefits
26 paid out to the individual who leaves work under a

1 circumstance described in this paragraph ~~to accompany a~~
2 ~~spouse reassigned from one military assignment to another.~~

3 C. Within 90 days of the effective date of this amendatory
4 Act of the 96th General Assembly, the Department shall
5 promulgate rules, pursuant to the Illinois Administrative
6 Procedure Act and consistent with Section 903(f)(3)(B) of the
7 Social Security Act, to clarify and provide guidance regarding
8 eligibility and the prevention of fraud.

9 (Source: P.A. 95-736, eff. 7-16-08.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.".